

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Steel City Enterprises Inc.,

Plaintiff,

v.

**The Individuals, Corporations, Limited
Liability Companies, Partnerships, and
Unincorporated Associations Identified
on the Attached Schedule A,**

Defendant.

Case No.: 1:23-cv-03252

JURY TRIAL DEMANDED

MOTION FOR LEAVE TO FILE UNDER SEAL

Pursuant to Local Rule 26.2, Plaintiff Steel City Enterprises Inc. (“Steel City”) moves the Court for leave to file under seal the unredacted version of various attachments to its Complaint – namely, Schedule A and Exhibit 2 thereto (“Sealed Documents”).

As required by L.R. 26.2, Steel City has provisionally filed the unredacted version of its Sealed Documents and has filed a public-record version of the Sealed Documents with only the sealed information removed via redactions.

In support of this motion, Steel City states as follows:

Plaintiff Steel City has filed this action against online infringers of its asserted patent rights. The Defendants are each accused of infringing Steel City’s patent rights by making, using, offering for sale, selling and/or importing into the United States the same accused products. Defendants are each believed to be foreign entities of unknown incorporation or business structure. It is unknown at this time whether any of the Defendants are individuals or business entities.

Defendants provide only limited contact information via the online marketplaces through which they are conducting their infringement. Consequently, it may take some time for Steel City to identify each Defendant, effect service, and provide notice regarding the requested preliminary injunction. As set forth in its Motion for Temporary Restraining Order and Preliminary Injunction, Steel City has sought a temporary restraining order so that infringement can be halted, and Defendants' accounts can be frozen until the request for a preliminary injunction can be decided. Based on Defendants' business operations and the facts as alleged in Steel City's Motion and its Complaint, Steel City believes that Defendants will try to close their online accounts and move assets beyond the reach of this jurisdiction if they receive advance notice of this action and Steel City's efforts to freeze those assets.

The Sealed Documents include contact information for the Defendants, pictures of Defendants' products, and specific claim chart allegations comparing Steel City's patent rights to the accused products. Such documents necessarily identify Defendants and their infringing products. Thus, publicly filing those documents would provide advance notice to Defendants before the Court can address Steel City's request for a temporary restraining order and permit them an opportunity to move assets outside the reach of this Court.

To avoid providing such advance warning, Steel City has redacted the public versions of the Sealed Documents and has provisionally filed the unredacted versions under seal. Consistent with Local Rule 26.2, Steel City now requests that the Court grant it leave to maintain the seal.

In view of the nature of this request and the timing, Steel City is unable to seek concurrence from Defendants and asks that this request to file under seal be addressed *ex parte*.

In view of the foregoing, Steel City respectfully requests leave of Court to file under seal the Sealed Documents provisionally filed and tendered to chambers.

DATED: May 23, 2023

Respectfully submitted,

/s/ Edward L. Bishop

Edward L. Bishop

ebishop@bdl-iplaw.com

Nicholas S. Lee

nlee@bdl-iplaw.com

Benjamin A. Campbell

bcampbell@bdl-iplaw.com

BISHOP DIEHL & LEE, LTD.

1475 E. Woodfield Rd., Suite 800

Schaumburg, IL 60173

Tel.: (847) 969-9123

Fax: (847) 969-9124

*Counsel for Plaintiff, Steel City Enterprises
Inc.*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system this May 23, 2023. Any other counsel of record will be served by electronic and/or first-class mail.

/s/ Edward L. Bishop
Edward L. Bishop